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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

11 ANGELINA ATABEKOVA-
12 MICHAELIDIS, and VARDOUT
13 MICHAELIDOU; both individually and
as successors in interest to Decedent
MELKON MICHAELIDIS.

14 | Plaintiffs.

15 |

16 CITY OF LOS ANGELES; and
BRYAN MORALES.

Defendants

Case No. 2:22-cv-05620-MCS-MAA
[Honorable Mark C. Scarsi]

**JOINT STATUS REPORT OF THE
PARTIES IN RESPONSE TO
ORDER SHOW CAUSE [DOC. 108]**

20 | TO THE HONORABLE COURT:

21 Plaintiffs ANGELINA ATABEKOVA-MICHAELIDIS, and VARDOUTI
22 MICHAELIDOU; both individually and as successors in interest to Decedent
23 MELKON MICHAELIDIS (“Plaintiffs”) and Defendants CITY OF LOS
24 ANGELES and OFFICER BRYAN MORALES (“Defendants”) hereby respond to
25 the Court’s Order to Show Cause of January 23, 2024 [Doc. 108].

26 The parties apologize to the Court for the inconvenience and appreciate the
27 Court's patience as the parties resolved this matter. As the Court can see below, the
28 parties have worked diligently to resolve this matter.

1 Plaintiffs and Defendants, by and through their respective attorneys of
 2 record, reached a conditional settlement on or about October 6, 2023.

3 On October 6, 2023, the parties filed their Notice of Settlement of this
 4 matter, which required approval of certain governing bodies of the City of Los
 5 Angeles. It was understood by the parties at that time that those approvals would
 6 take no longer than 90 days. Thus, the parties informed the Court of the time
 7 expected to finalize and the party's intent to file a dismissal with prejudice within
 8 10 days of receipt of the settlement funds. (Doc. 104.)

9 On October 27, 2023, Defendants provided a draft settlement agreement and
 10 release for Plaintiffs' review. For the following approximately 45 days, due to a
 11 few unanticipated issues with the settlement agreement and release, the parties
 12 negotiated the language of the agreement and satisfied any internal issues with the
 13 agreement. On December 19, 2023, Plaintiffs provided the executed agreement to
 14 Defendants and awaited Defendants' signatures and approvals.

15 For approval by the City of Los Angeles, the conditional settlement was
 16 taken to the Claims Board on February 26, 2024 for approval. Although there was
 17 a meeting of the Claims Board on February 5, 2024, counsel for Defendants were
 18 engaged in trial and could not attend the mandatory in-person appearance. The
 19 February 26, 2024 was the first Claims Board meeting following the final
 20 execution of the settlement agreement on December 19, 2023 that counsel for
 21 Defendants was able to appear for in-person. The matter went before the City
 22 Council on February 26, 2024, and the Council approved the settlement at that time
 23 and referred the matter to the Budget Finance & Innovation committee for the next
 24 round of approval.

25 Counsel for Defendants again appeared in-person at the Budget Finance &
 26 Innovation committee on or about March 20, 2024. The Budget Finance &
 27 Innovation committee approved the settlement and referred the matter to the full
 28 City Council for approval. The City Council approved the settlement on or about

1 April 3, 2024 and referred the matter to the Mayor for final approval. The Mayor
 2 had 10 days to approve or veto the settlement, and once the 10-day period expired
 3 on or about April 13, 2024, the City Attorney's office is tasked with issuing the
 4 settlement check. Defense counsel has been advised that the issuing of the check
 5 could take two to three weeks after the Mayor's final approval.

6 All necessary approvals have been made by the governing bodies. All that
 7 remains is the processing of the check followed by the dismissal of this action.
 8 Defendants have fully executed the settlement agreement with Plaintiffs and all
 9 that remains in this case is the issuance of the check. The City has multiple rounds
 10 of settlement approval and the delay in having the conditional settlement fully
 11 approved is not due to any willful delay by the City or defense counsel.

12 Defendants anticipate that the City Attorney's office will process and mail
 13 the check by the end of April 2024. The City could not give the parties a specific
 14 date.

15 Under the circumstances, Plaintiffs do not feel that there was anything they
 16 could have done to speed up the process. Plaintiffs relied on the City's
 17 representations of what was necessary to approve the settlement. Of course, if there
 18 was a way for the process to be expedited, it would be in Plaintiffs' favor and
 19 Plaintiffs would graciously comply with whatever that process may be, if any.

20 In reliance on the City's assurance that the check will be issued by the end of
 21 this month, which typically takes 5 business days to be delivered and an additional
 22 5 business days for the bank to verify and clear, the parties respectfully request that
 23 the Court allow the parties to file their Stipulation for Dismissal with Prejudice on
 24 or before May 15, 2024.

25
 26 Respectfully submitted,

27 DATED: April 23, 2024

**LAW OFFICES OF DALE K. GALIPO
 MARDIROSIAN & MARDIROSIAN, PLC**

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2 By: /s/ Marcel F. Sincich
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Attorneys for Plaintiffs

6 DATED: April 23, 2024
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